IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

WP(C).No. 601 of 2007(V)

PETITIONER:

P.MAHAMOOD,
S/O.ABDUL KHADER, AGED 65 YEARS,
SECRETARY, N.A.CHARITABLE TRUST,
ENAY COMPLEX, MG ROAD, KASARAGOD.

BY ADV. SRI.V.A.MUHAMMED

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY THE
SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT,
SECRETARIAT, TRIVNADRUM.

2. THE KANNUR UNIVERSITY REPRESENTED BY
ITS REGISTRAR, MANGATUPARAMBA, KANNUR.

R1 BY G.P. SRI.I.V.PROMOD
R2 BY ADV. SRI.M.SASEENDRAN,SC,KANNUR UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.601 of 2007

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Dated this the 5th day of January, 2007.

JUDGMENT

The petitioner is challenging Ext.P9 order issued by the University refusing affiliation to BEd. course in petitioner's new BEd. college for 2006-2007, but with suggestion that provisional approval can be granted for the next academic year 2007-2008. According to the petitioner, petitioner was anticipating affiliation during the current academic year and therefore, even admitted students. The petitioner has obtained a direction from this court vide Ext.P8 judgment in W.A. No.2237/2006 to consider affiliation of petitioner's college after inspection. I am unable to accept petitioner's contention that petitioner is entitled to affiliation for the year 2006-2007 because the Government Pleader stated that the course has commenced in all other colleges from October 2006 onwards. Moreover, examination is in August 2007. BEd. course is only a one year course and if petitioner is permitted to start admitting students and commence the classes now, petitioner cannot cover even 60% of the period of course-study which will make the one year degree course to half year degree course. Therefore, the University wisely decided to consider affiliation for the next academic year.

I do not find any ground for interference with the impugned order of the University. The W.P. is therefore dismissed. If petitioner has admitted students without affiliation, the petitioner will be answerable to the students which is not a matter to be considered by this court now.

C.N.RAMACHANDRAN NAIR
Judge

pms